

O'BANION & RITCHEY^{LLP}
INTELLECTUAL PROPERTY ATTORNEYS

Wells Fargo Center
400 Capitol Mall, Suite 1550
Sacramento, California 95814
Tel. (916) 498-1010
Fax (916) 498-1074

RECEIVED
CENTRAL FAX CENTER**NOV 30 2005**

November 30, 2005

TELECOPIER TRANSMITTAL SHEET**TELECOPY TO: COMMISSIONER FOR PATENTS****FAX NUMBER: (571) 273-8300****FROM: JOHN P. O'BANION****RE: 10/774,012
CWS5406.01A1 (ELK5406.01A1)****CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)**

I hereby certify that the enclosed:

1. TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (UNDER 37 1.97(b) OR 1.97(c)) (2 PAGES)
2. STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT (1 PAGE)
3. INFORMATION DISCLOSURE STATEMENT BY APPLICANT (FORM PTO/SB/08A) (1 PAGE)

are being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on
30 November 2005.

M. ROBYN CARRILLO

(Type or print name of person signing certificate)


(Signature)**[X] Original will not follow**

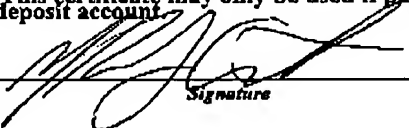
The information contained in this facsimile is highly confidential and may also be subject to attorney-client privilege. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any use, distribution or copying of this communication is strictly prohibited. If you have received this in error, please notify us immediately by calling collect, and destroy this copy. Thank you.

NUMBER OF PAGES SENT (INCLUDING COVER SHEET): 5

**IF THERE ARE ANY PROBLEMS OR QUESTIONS, PLEASE CONTACT US AT (916) 498-1010.
OUR FAX NO. IS (916) 498-1074.**

| | | | | | |
|--|----------------------------------|-------------------------------------|-----------------------------|--|---------------------------------|
| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | Docket No. CWS5406.01A1 | |
| In Re Application Of: MARK JENKINS | | | | | |
| Application No. 10/774,012 | Filing Date 02/06/2004 | Examiner EL ARINI, ZEINAB | Customer No. 8156 | Group Art Unit 1746 | Confirmation No. 8426 |
| Title: CONCRETE WASHOUT CONTAINER | | | | | |
| | | | | RECEIVED CENTRAL FAX CENTER | |
| Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | | | NOV 30 2005 | |
| 37 CFR 1.97(b) | | | | | |
| 1. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114. | | | | | |
| 37 CFR 1.97(c) | | | | | |
| 2. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of: | | | | | |
| <input checked="" type="checkbox"/> the statement specified in 37 CFR 1.97(e); | | | | | |
| OR | | | | | |
| <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). | | | | | |

P10A/REV05

| | | | | | | |
|---|----------------------------------|-------------------------------------|-----------------------------|--|---------------------------------|--|
| TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c)) | | | | | Docket No. CWS5406.01A1 | |
| In Re Application: MARK JENKINS | | | | | | |
| Application No. 10/774,012 | Filing Date 02/06/2004 | Examiner EL ARINI, ZEINAB | Customer No. 8156 | Group Art Unit 1746 | Confirmation No. 8426 | |
| Title: CONCRETE WASHOUT CONTAINER | | | | | | |
| Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p)) | | | | | | |
| <input type="checkbox"/> A check in the amount of _____ is attached. | | | | | | |
| <input type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below. | | | | | | |
| <input type="checkbox"/> Charge the amount of _____ | | | | | | |
| <input type="checkbox"/> Credit any overpayment. | | | | | | |
| <input type="checkbox"/> Charge any additional fee required. | | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | |
| Certificate of Transmission by Facsimile* | | | | Certificate of Mailing by First Class Mail | | |
| <p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)</p> <p>_____ (Date)</p> <p>_____ Signature</p> <p>_____ Typed or Printed Name of Person Signing Certificate</p> | | | | <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p> <p>_____ (Date)</p> <p>_____ Signature of Person Mailing Correspondence</p> <p>_____ Typed or Printed Name of Person Mailing Certificate</p> | | |
| <p>*This certificate may only be used if paying by deposit account.</p> <div style="display: flex; justify-content: space-between;"><div style="width: 45%;"> _____ Signature</div><div style="width: 50%; text-align: right;">Dated: NOVEMBER 30, 2005</div></div> | | | | | | |
| <p>JOHN P. O'BANION, REG. NO. 33,201 M. ROBYN CARRILLO, REG. NO. 47,474 O'BANION & RITCHEY LLP 400 CAPITOL MALL, SUITE 1550 SACRAMENTO, CA 95814 (916) 498-1010</p> | | | | | | |
| cc: | | | | | | |

P10A/REV05

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**Docket No.
CWS5406.01A1In Re Application Of: **MARK JENKINS**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------|------------------|--------------|----------------|------------------|
| 10/774,012 | 02/06/2004 | EL ARINI, ZEINAB | 8156 | 1746 | 8426 |

Invention: **CONCRETE WASHOUT CONTAINER****COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


SignatureDated: **NOVEMBER 30, 2005**

JOHN P. O'BANION, REG. NO. 33,201
M. ROBYN CARRILLO, REG. NO. 47,474
O'BANION & RITCHEY LLP
400 CAPITOL MALL, SUITE 1550
SACRAMENTO, CA 95814
(916) 498-1010

Certificate of Mailing by First Class Mail

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

cc:

